

Introduced by Senator Perata

February 20, 2003

An act to amend Section 84502 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 604, as introduced, Perata. Cumulative contributions.

The Political Reform Act of 1974 requires a disclosure statement in any advertisement for or against a ballot measure, identifying any person whose cumulative contributions to a committee are \$50,000 or more. It defines "cumulative contributions" as the cumulative contributions to a committee beginning the first day the statement of organization is filed and ending within 7 days of the time the advertisement is sent to the printer or broadcast station.

This bill would instead define "cumulative contributions" as the aggregated contributions of each person to a committee during the period commencing January 1 of the year prior to the year in which the ballot measure is submitted to the voters and ending within 7 days of the time the advertisement is sent to the printer or broadcast station.

Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing these penalties on persons who violate the provisions of this bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

Proposition 208, an initiative measure approved by the voters at the November 5, 1996, statewide general election, makes the amendment provisions of the Political Reform Act applicable to the amendment of the initiative measure.

This bill, which would declare that it furthers the purposes of the Political Reform Act of 1974 and Proposition 208, would therefore require a $\frac{2}{3}$ vote.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 84502 of the Government Code is
- 2 amended to read:
- 3 84502. "Cumulative contributions" means the ~~cumulative~~
- 4 ~~aggregated~~ contributions of each person to a committee beginning
- 5 ~~the first day the statement of organization is filed under Section~~
- 6 ~~84101 during the period commencing January 1 of the year prior~~
- 7 ~~to the year in which the ballot measure is submitted to the voters~~
- 8 and ending within seven days of the time the advertisement is sent
- 9 to the printer or broadcast station.
- 10 SEC. 2. No reimbursement is required by this act pursuant to
- 11 Section 6 of Article XIII B of the California Constitution because
- 12 the only costs that may be incurred by a local agency or school
- 13 district will be incurred because this act creates a new crime or
- 14 infraction, eliminates a crime or infraction, or changes the penalty
- 15 for a crime or infraction, within the meaning of Section 17556 of
- 16 the Government Code, or changes the definition of a crime within
- 17 the meaning of Section 6 of Article XIII B of the California
- 18 Constitution.
- 19 SEC. 3. The Legislature finds and declares that the provisions
- 20 of this act further the purposes of both the Political Reform Act of



1 1974 within the meaning of subdivision (a) of Section 81012 of the
2 Government Code and Proposition 208 within the meaning of
3 Section 45 of that measure.

4 SEC. 4. This act is an urgency statute necessary for the
5 immediate preservation of the public peace, health, or safety
6 within the meaning of Article IV of the Constitution and shall go
7 into immediate effect. The facts constituting the necessity are:

8 In order to ensure fair disclosure of campaign contributors to
9 campaign committees as soon as possible, it is necessary that this
10 act take effect immediately.

